

**BEFORE THE ADJUDICATING OFFICER**  
**ROC -cum- OL, ODISHA, CUTTACK**  
**(ADJUDICATION ORDER NO. ROC/CTC/AO/12/28949/2020)**

**ORDER**

**UNDER SECTION 454 OF THE COMPANIES ACT, 2013 READ WITH THE  
COMPANIES (ADJUDICATION OF PENALTIES) RULES, 2014**

**JEYPORE HYDRO POWER PROJECTS PRIVATE LIMITED**  
**CIN : U40101OR2004PTC007504**

**Appointment of Adjudicating Officer :-**

01. The Ministry of Corporate Affairs vide its Gazette Notification No. A-42011/112/2014-Ad. II dated 24.03.2015 appointed the undersigned as Adjudicating Officer (hereinafter referred to as "the A.O") in exercise of the powers conferred under Section 454 of the Companies Act, 2013 (herein after known as **The Act**) read with Companies (Adjudication of Penalties) Rules, 2014.

**Company :-**

02 Jeypore Hydro Power Projects Private Limited (herein after known as the Company) CIN U40101OR2004PTC007504 is a registered company with the office of the ROC -cum- OL, Odisha and having its registered office address at At : Plot No. L-345, 3<sup>rd</sup> Phase, Dumduma Housing Board, Khandagiri Police Station, Bhubaneswar : 751 019, Odisha, India as per the records maintained by this office in online registry.

**Show Cause Notice, Reply and Personal Hearing :**

03. On the basis of complaint received by this office letters were issued vide No. ROC/COMPT/2019/430 dated 30.04.2019 and ROC/COMPT/2019/764(5) dated 26.06.2019 to the Company seeking clarification. The aforesaid notices

*Rathi*  
25/01/2021

addressed to the company were returned undelivered with the postal remark "Left" and "No such Addressee".

04. As both the aforesaid notices/letters addressed to the company were returned undelivered, it is presumed that the company has not maintained its registered office at the recorded address furnished by it and available in MCA21 records. Hence, the Adjudicating Officer issued Show Cause Notice under Sub-Rule (2) of Rule 3 of the Companies (Adjudication of Penalties) Rules, 2014 for contravention of Section 12(1) of the Companies Act, 2013 to the Company and its directors/officer-in-default viz. Ms. Lashmi Rudraraju (DIN 01468914) and Shri Satyanarayana Raju Rudraraju (DIN 01468996) but neither the company nor any of the directors furnish their reply in this regards and the letter addressed to the company returned undelivered with postal remark "Left".
05. Thereafter, Notice of Inquiry was also issued vide this office Show Cause Notice No. ROC/Sec. 454/07504/2019/2331(3) dated 16.01.2020 pursuant to Rule (3) of Companies (Adjudication of Penalties) Rules, 2014 to the Company and Officers/Directors (Noticee) calling upon them to appear personally or through authorized representative under Rule 3(3) of the Companies (Adjudication of Penalties) Rules, 2014 on 03.02.2019 at 2.30 PM, the letter addressed to the company returned undelivered with postal remark "No such addressee". On the said date Shri Birabhadra Acharya, Proprietor of B. Acharharya & Associates, Company Secretaries of Bhubaneswar, authorized representative appeared before the Adjudicating Officer alongwith Power of Attorney and requested for adjournment and the matter was adjourned to 23.03.2020. Further, due to COVID-10 pandemic the matter kept hold till the situation normalized and letter has been issued fixing the date of hearing on 20.01.2021 at 2.30 PM and again adjourned to 25.01.2021 at 02.30 PM.

*Atthi*  
25/01/2021

Provisions of the Companies Act, 2013 :

06. Sub-Section (1) of Section 12 of the Act provides, "A company shall, on and from the fifteenth day of its incorporation and at all times thereafter, have a registered office capable of receiving and acknowledging all communication and notices as may be addressed to it."

ORDER

07. On the fixed date i.e. on 24.02.2020, Shri Birabhadra Acharya, Proprietor of B. Acharharya & Associates, Company Secretaries of Bhubaneswar, authorized representative appeared before the Adjudication Officer and submit a letter dated 22.02.2020 of Suru Vijayalaxmi the complainant which has been forwarded to the company vide letter No. ROC/COMPT/2019/430 dated 30.04.2019 and ROC/COMPT/2019/764(5) dated 26.06.2019 which have returned undelivered, where it is seen that the complainant withdraw the complaint against the company. Further, the Authorised Representative stated that the company shifted its registered office with effect from 06.01.2020 and necessary Form No. INC-22 has been filed. Further, it is verified from the MCA 21 system and found that one Form No. INC-22 has been filed vide SRN R29495504 on 01.08.2020 for shifting of the Registered Office from Room No. 17, Deendayan Bhawan, 2<sup>nd</sup> Floor, Janpath, Ashok Nagar, Bhubaneswar to Plot No. L-345, 3<sup>rd</sup> Phase, Dumduma Housing Board, Khandagiri Police Station, Bhubaneswar : 751 009 with effect from 06.01.2020.

Having considered the facts, circumstances and documentary evidence of the case, and after taking into account of the factors above, the A.O. is of the considered view that the company filed the Form No. INC-22 on 01.08.2020 for shifting of Registered Office with effect from 06.01.2020 which seems to be after thought as the letter dated 22.10.2019 issued by this office to the company was returned undelivered on 28.10.2019. Hence, the A.O do hereby impose penalty

*Reddi*  
25/01/2021

on the Company and its Directors/Officer-in-Default as per Table below for violating the provisions of Section 12 of the Companies Act, 2013.

Violation of the Companies Act, 2013	No. of days of Default*	Penalty imposed on Company/ Directors	Penalty Imposed (Rs.)	Total (in Rs.)
Provisions of Section 12 of the Companies Act, 2013 (Non-maintenance of Registered Office)	233 days*	On Company	Rs. 1,00,000/- (maximum)	1,00,000/-
		Ms. Lakshmi Rudraraju	Rs. 1,00,000/- (maximum)	1,00,000/-
		Shri Satyanarayana Raju Rudraraju	Rs. 1,00,000/- (maximum)	1,00,000/-

- No. of days have been calculated from 17.05.2019 (Date of returned of first letter issued by this office) to 06.01.2020 (Date of filing of Form No. INC-22) (Both days excluded)

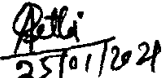
09. The company and its directors are hereby directed to rectify the default immediately from the date of receipt of copy of this order.
10. The Penalty imposed shall be paid through the Ministry of Corporate Affairs portal only.
11. Appeal if any against this order may be filed in writing with the Regional Director, Eastern Region, Ministry of Corporate Affairs, Nizam Palace, 3<sup>rd</sup> Floor, 234/4, A.J.C. Bose Road, Kolkata : 700 020 within a period of sixty days from the date of receipt of this order, in Form ADJ setting forth the grounds of appeal and shall be accompanied by a certified copy of this order. [Section 454 of the Companies Act, 2013 read with the Companies (Adjudicating of Penalties) Rules, 2014].

*Atti*  
25/01/2021

12. Your attention is also invited to Section 454(8) of the Act regarding consequences of non-payment of penalty.
13. In terms of the provisions of sub-rule (9) of Rule 3 of the Companies (Adjudication of Penalties) Rules, 2014, a copy of this order is being sent to (1) Jeypore Hydro Power Projects Private Limited, Plot No. L-345, 3<sup>rd</sup> Phase, Dumduma Housing Board, Khandagiri Police Station, Bhubaneswar : 751 019 (2) Ms. Lakshmi Rudraraju, (DIN 01468914) D/o. Satyanarayana Raju Pothuri, LIG 78, APIIC Colony, Sub Station, IDA Jeedimetla, Hyderabad : 500 055, Telengana (3) Shri Satyanarayana Raju Rudraraju, (DIN 01468996) S/o. Janakirammaraju Rudraraju, LIG 78, APIIC Colony, Sub Station, IDA Jeedimetla, Hyderabad : 500 055, Telengana and also the Secretary to the Govt. of India, Ministry of Corporate Affairs, Shastri Bhawan, A Wing, 5<sup>th</sup> Floor, Dr. R. P. Road, New Delhi : 110 001.

Place : Cuttack

Dated, the 25<sup>th</sup> January, 2021

  
25/01/2021  
( A. K. SETHI )  
Adjudicating Officer, Odisha  
ROC -cum- OL, Odisha